

## Introduced by Senator Soto

February 8, 2005

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An act to amend Section 47607 of the Education Code, relating to charter schools.

## LEGISLATIVE COUNSEL'S DIGEST

SB 166, as introduced, Soto. Charter schools: charter renewal.

The existing Charter Schools Act of 1992 permits teachers, parents, pupils, and community members to petition the governing board of a school district to approve a charter school to operate independently from the existing school district structure as a method of accomplishing, among other things, improved pupil learning. Existing law provides procedures that relate to the renewal of a charter and specifies that a renewal shall be for a period of 5 years, inclusive.

This bill would, instead, provide that a charter may be renewed for a period of one to 5 years.

Vote: majority. Appropriation: no. Fiscal committee: no.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 47607 of the Education Code is  
2 amended to read:  
3 47607. (a) (1) A charter may be granted pursuant to Sections  
4 47605, 47605.5, and 47606 for a period not to exceed five years.  
5 A charter granted by a school district governing board, a county  
6 board of education or the State Board of Education, may be  
7 granted one or more subsequent renewals by that entity. Each  
8 renewal shall be for a period of *one to* five years. A material  
9 revision of the provisions of a charter petition may be made only

1 with the approval of the authority that granted the charter. The  
2 authority that granted the charter may inspect or observe any part  
3 of the charter school at any time.

4 (2) Renewals and material revisions of charters shall be  
5 governed by the standards and criteria in Section 47605.

6 (b) Commencing on January 1, 2005, or after a charter school  
7 has been in operation for four years, whichever is later, a charter  
8 school shall meet at least one of the following criteria prior to  
9 receiving a charter renewal pursuant to paragraph (1) of  
10 subdivision (a):

11 (1) Attained its Academic Performance Index (API) growth  
12 target in the prior year or in two of the last three years, or in the  
13 aggregate for the prior three years.

14 (2) Ranked in deciles 4 to 10, inclusive, on the API in the prior  
15 year or in two of the last three years.

16 (3) Ranked in deciles 4 to 10, inclusive, on the API for a  
17 demographically comparable school in the prior year or in two of  
18 the last three years.

19 (4) (A) The entity that granted the charter determines that the  
20 academic performance of the charter school is at least equal to  
21 the academic performance of the public schools that the charter  
22 school pupils would otherwise have been required to attend, as  
23 well as the academic performance of the schools in the school  
24 district in which the charter school is located, taking into account  
25 the composition of the pupil population that is served at the  
26 charter school.

27 (B) The determination made pursuant to this paragraph shall  
28 be based upon all of the following:

29 (i) Documented and clear and convincing data.

30 (ii) Pupil achievement data from assessments, including, but  
31 not limited to, the Standardized Testing and Reporting Program  
32 established by Article 4 (commencing with Section 60640) for  
33 demographically similar pupil populations in the comparison  
34 schools.

35 (iii) Information submitted by the charter school.

36 (C) A chartering authority shall submit to the Superintendent  
37 of Public Instruction copies of supporting documentation and a  
38 written summary of the basis for any determination made  
39 pursuant to this paragraph. The Superintendent of Public  
40 Instruction shall review the materials and make recommendations

1 to the chartering authoring based on that review. The review may  
2 be the basis for a recommendation made pursuant to Section  
3 47604.5.

4 (D) A charter renewal may not be granted to a charter school  
5 prior to 30 days after that charter school submits materials  
6 pursuant to this paragraph.

7 (5) Has qualified for an alternative accountability system  
8 pursuant to subdivision (h) of Section 52052.

9 (c) A charter may be revoked by the authority that granted the  
10 charter under this chapter if the authority finds that the charter  
11 school did any of the following:

12 (1) Committed a material violation of any of the conditions,  
13 standards, or procedures set forth in the charter.

14 (2) Failed to meet or pursue any of the pupil outcomes  
15 identified in the charter.

16 (3) Failed to meet generally accepted accounting principles, or  
17 engaged in fiscal mismanagement.

18 (4) Violated any provision of law.

19 (d) Prior to revocation, the authority that granted the charter  
20 shall notify the charter public school of any violation of this  
21 section and give the school a reasonable opportunity to cure the  
22 violation, unless the authority determines, in writing, that the  
23 violation constitutes a severe and imminent threat to the health or  
24 safety of the pupils.